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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/692,516

10/24/2003

SonSeng Yeow

STL 3262

9290

75635

7590

12/24/2008

McCarthy Law Group

5830 Northwest Expressway, #353

Oklahoma City, OK 73132

EXAMINER

FRENEL, VANEL

ART UNIT

PAPER NUMBER

3687

MAIL DATE

DELIVERY MODE

12/24/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/692,516	Applicant(s) YEOW ET AL.	
	Examiner VANEL FRENEL	Art Unit 3687	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 September 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 8, 10-15 and 24-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 8, 10-15, 24-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Notice to Applicant

1. This communication is in response to the Amendment filed 9/15/08. Claims 1-7, 9, 16-23 have been cancelled. Claims 24-32 have been newly added. Claims 8, 10-15 and 24-32 are pending.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:
Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.
3. Claims 15, 26-30 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 15, 26-30 recite a process comprising the steps of: establishing, continuously displaying and subsequently modifying. Based on Supreme Court precedent, a proper process must be tied to another statutory class or transform underlying subject matter to a different state or thing (*Diamond v. Diehr*, 450 U.S. 175, 184 (1981); *Parker v. Flook*, 437 U.S. 584, 588 n.9 (1978); *Gottschalk v. Benson*, 409 U.S. 63, 70 (1972); *Cochrane v. Deener*, 94 U.S. 780,787-88 (1876)). Since neither of these requirements is met by the claim, the method is not considered a patent eligible process under 35 U.S.C. 101. To qualify as a statutory process, the claim should positively recite the other statutory class to which it is tied, for example by identifying the apparatus that accomplished the method steps or positively reciting the subject matter that is being transformed, for example by identifying the material that is being changed to a different state.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 8, 10-15 and 24-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Li et al. (2003/0004784) in view of Hill et al. (2004/0034581).

As per claim 8, Li discloses a system for replenishing low inventory comprising: a first terminal associated with a user's site for entering and displaying information (See Li, Page 3, Paragraphs 0035-0036; Page 4, Paragraphs 0040-0043); a second terminal associated with a supplier's site for entering and displaying information (See Li, Page 3, Paragraphs 0035-0036; Page 4, Paragraphs 0040-0043).

Li does not explicitly disclose a network connected to said first terminal and said second terminal for exchanging information between said first terminal and said second terminal; a replenishment module executing computer readable instructions stored in memory to continuously display a signal having a first visual characteristic simultaneously to both terminals in response to the user requesting a replenishment of inventory, and to subsequently modify the signal simultaneously to both terminals to continuously display a second visual characteristic different than the first visual characteristic responsive to the supplier sending the requested replenishment of

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inventory and during the time that the requested replenishment of inventory is in transit to the user.

However, these features are known in the art, as evidenced by Hill. In particular, Hill suggests a network connected to said first terminal and said second terminal for exchanging information between said first terminal and said second terminal (See Hill, Fig.7; Page 3, Paragraph 0032); a replenishment module executing computer readable instructions stored in memory to continuously display a signal having a first visual characteristic simultaneously to both terminals in response to the user requesting a replenishment of inventory, and to subsequently modify the signal simultaneously to both terminals to continuously display a second visual characteristic different than the first visual characteristic responsive to the supplier sending the requested replenishment of inventory and during the time that the requested replenishment of inventory is in transit to the user (See Hill, Page 5 , Paragraphs 0043-0045).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Hill within the system of Li with the motivation of providing a system which performs automatic replenishment of stock through real-time polling of stock item quantity to avoid the need for periodic manual inspection of quantity and the need to maintain accurate market forecasts (See Hill, Page 1, Paragraph 0004).

As per claim 10, Hill discloses the system wherein said first and second visual characteristics are graphical representations of data (See Fig.7; Page 3, Paragraph

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0032).

As per claim 11, Hill discloses the system wherein said first visual characteristic is a first color and said second visual characteristic is a second color different than the first color (See Hill Page 4, Paragraph 0039; Page 5, Paragraph 0045).

As per claim 12, Hill discloses the system wherein said first characteristic visual includes highlighting a portion of both terminals red (See Hill Page 4, Paragraph 0039; Page 5, Paragraph 0045).

As per claim 13, Hill discloses the system wherein said second visual characteristic includes highlighting the portion of both terminals yellow (See Hill Page 4, Paragraph 0039; Page 5, Paragraph 0045).

As per claim 14, Hill discloses the system wherein said third visual characteristic includes highlighting the portion of both terminals green (See Hill Page 4, Paragraph 0039; Page 5, Paragraph 0045).

As per claim 15, Li discloses a method for replenishing low inventory, comprising: establishing a supply chain communication link between a user's terminal and a supplier's terminal (See Li, Page 3, Paragraphs 0035-0036; Page 4, Paragraphs 0040-0043).

Li does not explicitly disclose continuously displaying a signal having a first visual characteristic simultaneously to both terminals in response to the user requesting a replenishment of inventory; subsequently modify the signal simultaneously to both terminals to continuously display a second visual characteristic different than the first visual characteristic responsive to the supplier sending the requested replenishment of inventory and during the time that the requested replenishment of inventory is in transit to the user.

However, these features are known in the art, as evidenced by Hill. In particular, Hill suggests that the method having continuously displaying a signal having a first visual characteristic simultaneously to both terminals in response to the user requesting a replenishment of inventory (See Hill, Fig.7; Page 3, Paragraph 0032); subsequently modify the signal simultaneously to both terminals to continuously display a second visual characteristic different than the first visual characteristic responsive to the supplier sending the requested replenishment of inventory and during the time that the requested replenishment of inventory is in transit to the user (See Hill, Page 5 , Paragraphs 0043-0045).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Hill within the system of Li with the motivation of providing a system which performs automatic replenishment of stock through real-time polling of stock item quantity to avoid the need for periodic manual inspection of quantity and the need to maintain accurate market forecasts (See Hill, Page 1, Paragraph 0004).

As per the newly added claim 24, Hill discloses the system wherein the replenishment module further subsequently modifies the signal simultaneously to both terminals to continuously display a third visual characteristic different than the first and second visual characteristics and responsive to the user acknowledging a receipt of the requested replenishment of inventory that was previously in transit (See Hill, Paragraphs 0027-0028; Page 5, Paragraphs 0043-0045).

As per the newly added claim 25, Hill discloses the system wherein the third visual characteristic is a third color different than the first and second colors (See Hill, Paragraphs 0027-0028; Page 5, Paragraphs 0043-0045).

As per the newly added claim 26, Hill discloses the method wherein the continuously displaying step and the subsequently modifying step are characterized by said first and second visual characteristics being graphical representations of data (See Hill, Paragraphs 0027-0028; Page 5, Paragraphs 0043-0045).

As per the newly added claim 27, Hill discloses the method wherein the continuously displaying step and the subsequently modifying step are characterized by said first visual characteristic being a first color and said second visual characteristic being a second color different than the first color (See Hill, Paragraphs 0027-0028; Page 5, Paragraphs 0043-0045).

As per the newly added claim 28, Hill discloses the method wherein the continuously displaying step is characterized by said first visual characteristic including highlighting a portion of both terminals red (See Hill, Paragraphs 0027-0028; Page 5, Paragraphs 0043-0045).

As per the newly added claim 29, Hill discloses the method wherein the subsequently modifying step is characterized by said second visual characteristic including highlighting the portion of both terminals yellow (See Hill, Paragraphs 0027-0028; Page 5, Paragraphs 0043-0045).

As per the newly added claim 30, Hill discloses the method further comprising subsequently twice modifying the signal simultaneously to both terminals to continuously display a third visual characteristic different than the first and second visual characteristics and responsive to the user acknowledging a receipt of the requested replenishment of inventory that was previously in transit (See Hill, Paragraphs 0027-0028; Page 5, Paragraphs 0043-0045).

As per the newly added claim 31, Hill discloses the system of wherein the subsequently twice modifying the signal step is characterized by said third visual characteristic being a third color different than the first and second colors (See Hill, Paragraphs 0027-0028; Page 5, Paragraphs 0043-0045).

As per the newly added claim 32, Hill discloses the system wherein the subsequently twice modifying the signal step is characterized by said third visual characteristic including highlighting the portion of both terminals green (See Hill, Paragraphs 0027-0028; Page 5, Paragraphs 0043-0045).

Response to Arguments

6. Applicant's arguments filed on 9/15/08 with respect to claims 8, 10-15 and 24-32 have been fully considered but they are not persuasive.

(A) At pages 23-27 of the response filed on 9/15/08, Applicant's argues the followings:

(i) Neither Li nor Eicher teaches or suggests a shared signal on both the user's terminal and the supplier's terminal that has a visual characteristic that continuously and simultaneously informs both user and supplier that replenishment request has been made by the user.

(ii) Li, Eicher and Hill fail to establish a prima facie case of obviousness.

(B) With respect to applicant's first argument, the Examiner respectfully submitted that He relied upon the clear teaching of Hill (See Hill, Page 5, Paragraphs 0043-0045) which correspond to Applicant's claimed feature. Therefore, Applicant's argument is not persuasive and the rejection is hereby sustained.

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(C) With respect to Applicant second argument, Examiner respectfully submitted that that obviousness is determined on the basis of the evidence as a whole and the relative persuasiveness of the arguments. See *In re Oetiker*, 977 F.2d 1443, 1445, 24 USPQ2d 1443, 1444 (Fed. Cir. 1992); *In re Hedges*, 783 F.2d 1038, 1039, 228 USPQ 685,686 (Fed. Cir. 1992); *In re Piasecki*, 745 F.2d 1468, 1472, 223 USPQ 785,788 (Fed. Cir. 1984); and *In re Rinehart*, 531 F.2d 1048, 1052, 189 USPQ 143,147 (CCPA 1976). Using this standard, the Examiner respectfully submits that he has at least satisfied the burden of presenting a *prima facie* case of obviousness, since he has presented evidence of corresponding claim elements in the prior art and has expressly articulated the combinations and the motivations for combinations that fairly suggest Applicant's claimed invention.

Rather, Applicant does not point to any specific distinction(s) between the features disclosed in the references and the features that are presently claimed. In particular, 37 CFR 1.111(b) states, "A general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the reference does not comply with the requirements of this section." Applicant has failed to specifically point out how the language of the claims patentably distinguishes them from the applied references. Also, arguments or conclusions of Attorney cannot take the place of evidence. *In re Cole*, 51 CCPA 919, 326 F.2d 769, 140 USPQ 230 (1964); *In re Schulze*, 52 CCPA 1422, 346 F.2d 600, 145 USPQ 716 (1965); *Mertizner v. Mindick*, 549 F.2d 775, 193 USPQ 17 (CCPA 1977).

In addition, the Examiner recognizes that references cannot be arbitrarily altered or modified and that there must be some reason why one skilled in the art would be motivated to make the proposed modifications. However, although the Examiner agrees that the motivation or suggestion to make modifications must be articulated, it is respectfully contended that there is no requirement that the motivation to make modifications must be expressly articulated within the references themselves.

References are evaluated by what they suggest to one versed in the art, rather than by their specific disclosures, *In re Bozek*, 163 USPQ 545 (CCPA 1969).

The Examiner is concerned that Applicant apparently ignores the mandate of the numerous court decisions supporting the position given above. The issue of obviousness is not determined by what the references expressly state but by what they would reasonably suggest to one of ordinary skill in the art, as supported by decisions in *In re DeLisle* 406 Fed 1326, 160 USPQ 806; *In re Kell, Terry and Davies* 208 USPQ 871; and *In re Fine*, 837 F.2d 1071, 1074, 5 USPQ 2d 1596, 1598 (Fed. Cir. 1988) (citing *In re Lalu*, 747 F.2d 703, 705, 223 USPQ 1257, 1258 (Fed. Cir. 1988)). Further, it was determined in *In re Lamberti et al*, 192 USPQ 278 (CCPA) that:

- (i) obviousness does not require absolute predictability;
- (ii) non-preferred embodiments of prior art must also be considered; and
- (iii) the question is not express teaching of references, but what they would suggest. Therefore, Applicant's argument is not persuasive and the rejection is hereby sustained.

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VANEL FRENEL whose telephone number is (571)272-6769. The examiner can normally be reached on 6:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew S. Gart can be reached on 571-272-3955. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status

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information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Vanel Frenel/

Examiner, Art Unit 3687

December 15, 2008

/Matthew S Gart/

Supervisory Patent Examiner, Art Unit 3687

As per claim 15, Li discloses a method for replenishing low inventory, comprising: establishing a supply chain communication link between a user's terminal and a supplier's terminal; and continuously displaying a signal having a first visual characteristic simultaneously to both terminals in response to the user requesting a replenishment of inventory; subsequently modify the signal simultaneously to both terminals to continuously display a second visual characteristic different than the first visual characteristic responsive to the supplier sending the requested replenishment of inventory and during the time that the requested replenishment of inventory is in transit to the user (See Col.).....

Li does not explicitly disclose acknowledging receipt of said part; and stop alerting said second personnel that said part is in transit.

However, this feature is known in the art, as evidenced by Eicher. In particular, Eicher suggests acknowledging receipt of said part; and stop alerting said second personnel that said part is in transit (See Eicher, Page 13, Paragraph 0157; Page 15, Paragraphs 0180-0181).

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It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Eicher within the system of Li with the motivation of providing alert thresholds which may be automatically established by the system and altered based on historical data related to a key performance indicator to be monitored (See Eicher, Page 3, Paragraph 0028).

As per claim 22, Li discloses a method of replenishing parts to a site, according to an actual demand of the site, said site being physically separated from a warehouse supplying the parts, comprising: collecting inventory data that represents the supply of a part at the site (See Li, Page 3, Paragraphs 0030-0031); uploading said inventory data to a database (See Li, Page 1, Paragraph 0011); comparing said inventory data to a trigger and deciding whether the supply of said part at the site requires replenishment (See Li, Page 4, Paragraphs 0053-0055).

Li does not explicitly disclose providing a line of sight communication between the site and the warehouse to synchronize the flow of said part at said demand rate resulting in said site and said warehouse operating as though they are next to one another.

However, these features are known in the art, as evidenced by Eicher. In particular, Eicher suggests a line of sight communication between the site and the warehouse to synchronize the flow of said part at said demand rate resulting in said site and said warehouse operating as though they are next to one another (See Eicher, Page 5, Paragraphs 0063-0065; Page 5, Paragraphs 0070-0071).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Eicher within the system of Li with the motivation of providing alert thresholds which may be automatically established by the system and altered based on historical data related to a key performance indicator to be monitored (See Eicher, Page 3, Paragraph 0028).

As per claim 23, Li discloses a system for replenishing low inventory, comprising: means for collecting inventory data (See Li, Page 1, Paragraph 0008; Page 3, Paragraphs 0037-0038); means for alerting a first person that a low inventory part needs replenishment and continuing to alert said first person until the part has been sent (See Li, Page 5, Paragraphs 0056-0059).

Li does not explicitly disclose means for alerting a second person that said low inventory part has been sent and continuing to alert said second person until the part has been received; and means for acknowledging that said low inventory part has arrived.

However, these features are known in the art, as evidenced by Eicher. In particular, Eicher suggests means for alerting a second person that said low inventory part has been sent and continuing to alert said second person until the part has been received (See Eicher Page 13, Paragraph 0156; Page 17, Claim 21); and means for acknowledging that said low inventory part has arrived (See Eicher, Page 8, Paragraphs 0098-0099).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Eicher within the system of Li with the motivation of providing alert thresholds which may be automatically established by the system and altered based on historical data related to a key performance indicator to be monitored (See Eicher, Page 3, Paragraph 0028).

4. Claims 10-14 and 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Li et al. (2003/0004784) in view of Eicher, Jr. et al. (2002/0099598) as applied to claims 1, 8, 15 and 22-23 above, and further in view of Hill et al. (2004/0034581).

As per claim 10, Hill discloses the system wherein said first and second visual characteristics are graphical representations of data (See Fig.7; Page 3, Paragraph 0032).

As per claim 11, Hill discloses the system wherein said first visual characteristic is a first color and said second visual characteristic is a second color different than the first color (See Hill Page 4, Paragraph 0039; Page 5, Paragraph 0045).

As per claim 12, Hill discloses the system wherein said first characteristic

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visual includes highlighting a portion of both terminals red (See Hill Page 4, Paragraph 0039; Page 5, Paragraph 0045).

As per claim 13, Hill discloses the system wherein said second visual characteristic includes highlighting the portion of both terminals yellow (See Hill Page 4, Paragraph 0039; Page 5, Paragraph 0045).

As per claim 14, Hill discloses the system wherein said third visual characteristic includes highlighting the portion of both terminals green (See Hill Page 4, Paragraph 0039; Page 5, Paragraph 0045).

As per claim 24, X discloses the system wherein the replenishment module further subsequently modifies the signal simultaneously to both terminals to continuously display a third visual characteristic different than the first and second visual characteristics and responsive to the user acknowledging a receipt of the requested replenishment of inventory that was previously in transit.

As per claim 25, X discloses the system wherein the third visual characteristic is a third color different than the first and second colors.

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As per claim 26, X discloses the method wherein the continuously displaying step and the subsequently modifying step are characterized by said first and second visual characteristics being graphical representations of data.

As per claim 27, X discloses the method wherein the continuously displaying step and the subsequently modifying step are characterized by said first visual characteristic being a first color and said second visual characteristic being a second color different than the first color.

As per claim 28, X discloses the method wherein the continuously displaying step is characterized by said first visual characteristic including highlighting a portion of both terminals red.

As per claim 29, X discloses the method wherein the subsequently modifying step is characterized by said second visual characteristic including highlighting the portion of both terminals yellow.

As per claim 30, X discloses the method further comprising subsequently twice modifying the signal simultaneously to both terminals to continuously display a third visual characteristic different than the first and second visual characteristics and responsive to the user acknowledging a receipt of the requested replenishment of inventory that was previously in transit.

As per claim 31, X discloses the system of wherein the subsequently twice modifying the signal step is characterized by said third visual characteristic being a third color different than the first and second colors.

As per claim 32, X discloses the system wherein the subsequently twice modifying the signal step is characterized by said third visual characteristic including highlighting the portion of both terminals green.

Claims 16-21 recite the underlying process steps of the elements of claims 2-7, and respectively. As the various elements of claims 2-7 have been shown to be either disclosed by or obvious in view of the collective teachings of Li, Eicher and Hill, it is readily apparent that the method disclosed by the applied prior art performs the recited underlying functions. As such, the limitations recited in claims 16-21 are rejected for the same reasons given above for claims 2-7, and incorporated herein.

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Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VANEL FRENEL whose telephone number is (571)272-6769. The examiner can normally be reached on 6:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew S. Gart can be reached on 571-272-3955. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Nanel Frenel/

Examiner, Art Unit 3687

December 15, 2008